REMARKS

Overview

Claims 1-20 are pending, with claims 1, 9, and 14 being independent. Claims 1, 9, and 14 have been amended. No new matter has been added. Support for the amendments can be found, at least, in paragraph 22 of the application as filed. Reconsideration and allowance are requested.

Rejection under 35 U.S.C. § 101

Claims 1-5, 7-10, 12-16, and 18-19 have been rejected to for allegedly being directed to non-statutory subject matter. This rejection is traversed.

As amended, the independent claims 1 and 14 recite being embodied in computer-readable media. Similarly, claim 9 recites being a computer-implemented method. As indicated by the office action, "a claimed computer-readable medium…is thus statutory." As claims 1 and 14 recite a similar feature of being "embodied in computer-readable media," the rejection of these claims should be withdrawn. In addition, as claim 9 recites a computer-implemented method that permits functionality to be realized, the rejection of this claim should be withdrawn, as well. And, as claims 2-4 and 7-8; 10 and 12-13; and 15-16 and 18-19 depend either directly or indirectly on independent claims 1, 9, and 14, the rejections of these claims should be withdrawn, as well.

Rejection under 35 U.S.C. § 112 - Antecedent basis

Claims 2-8, 10-13, and 15-20 are rejected because the phrases "a database system," "a method," and "a platform" allegedly lack antecedent basis. This rejection is traversed as being improper.

The claims as filed do not lack antecedent basis. An antecedent basis issue cannot exist when an indefinite article precedes a term or phrase, instead of a definite article. For example, an antecedent basis issue may exist if a claim references "the database" where "a database" does not exist in a claim or claim from which the claim depends. In that example, the article "the" is definite and should refer to another instance of the term. However, the article "a" is indefinite, introduces a term, and does not reference another term to which antecedent basis need exist.

Each of the dependent claims uses the indefinite article "a" before the terms "database system," "method," and "platform." For example, claim 2 includes "A database system." Using an indefinite article to introduce a term does not require antecedent basis as this usage is in conformity with normal rules of English grammar for providing definiteness. (*see* § 23, <u>Landis on Mechanics of Patent Claim Drafting</u> (4th ed. 2001)).

Thus, for at least the reasons mentioned above, the rejections under 35 U.S.C. 112 should be withdrawn.

<u>Rejections under 35 U.S.C. § 102 and 103</u>

Each of claims 1-20 are rejected under one or more of King et al. (5,745,904; "King"), Cras et al. (6,831,668; "Cras"), and Potts, Jr. et al. (6,516,339; "Potts") as allegedly being anticipated or unpatentable. These rejections are traversed.

None of the cited references recite that a "delta record characterizes a difference between the data objects and a modified version of the data objects" or similar features; thus, the claims are patentable in view of the references.

As amended, independent claim 1 recites that a "delta record characterizes a difference between [] data objects and a modified version of the data objects." Similarly, independent claim 9 recites "a delta record characterizing a difference between [] data object and a modified version of the data object" and independent claim 14 recites "a delta record characterizing a difference between [] data objects and a modified version of the data objects."

These features are not disclosed by the cited references, and, thus, these references can neither anticipate nor render the claims obvious.

For example, King's alleged delta records are "<u>records of the original table</u> 58 that are <u>modified</u>," not a delta record that "characterizes <u>a difference</u> between [] data objects and a modified version of the data objects." Compare King, col. 5, lines 30-31 with Claim 1 (emphasis added).

As another example, Cras does not disclose a delta record that "characterizes <u>a</u> <u>difference</u> between the data objects and a modified version of the data objects." Claim 1 (emphasis added).

As another example, Pott's "deltas" are "insertions, deletions, and/or any other form of changes [to an edit file]" that are used for a display buffer, and are not records that

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"characterize [] a difference between [] data objects and a modified version of the data objects." Compare Potts col. 7, lines 28-30 with claim 1 (emphasis added).

The delta record of the claims is advantageous as, for example, "[a] delta record may include the changes made to the data object rather than the entire data object with changes." See paragraph 22 of the present application. Thus, the amount of data that need be stored or persisted to a database may be much less, as a delta record may take up less memory than an entire data object. Similarly, the amount of data used to represent changes for OLAP-based operations, such as planning, may be much less.

Thus, the independent claims should be allowed as none of the cited references include the delta record of the independent claims, as amended.

As claims 2-8, 10-13, and 15-20 depend, directly or indirectly, on claims 1, 9, and 14, these claims should be allowed, as well.

Conclusion

In view of the amendments and remarks herein, claims 1-20 should be allowed. The foregoing comments made with respect to the positions taken in the office action are not to be construed as acquiescence with other positions of the office action that have not explicitly contested. Accordingly, arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.
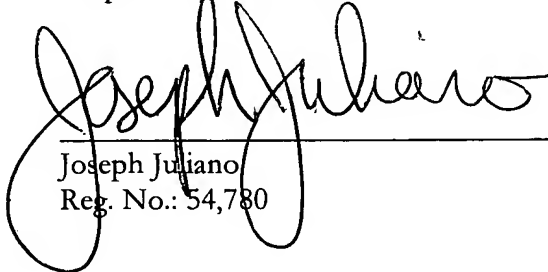
On the basis of the foregoing amendments, Applicants respectfully submit that the pending claims are in condition for allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. Applicants hereby petition for a one-month extension time to respond to the May 4, 2006 Office Action in the above-identified application. With the extension, this Response is due on or before September 5, 2006. A check in the amount of $120.00, in payment of the fee required by 37 C.F.R. § 1.17(a)(1), is enclosed herewith.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-022-UTL.

Please update the attorney docket number to reflect the new docket number.

Respectfully submitted,

Date: 9/5/06

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